

(3) All other procurement: HQDA (DAJA-KL), 2200 Army Pentagon, Washington, DC 20310–2200.

(i) *Criminal investigation files.* Send requests involving criminal investigation files to the Commander, U.S. Army Criminal Investigation Command, ATTN: CICR–FP, 6010 6th St., Bldg. #1465, Ft. Belvoir, VA 22060–5585. Only the Commanding General, USACIDC, can release any USACIDC-originated criminal investigation file.

(j) *Personnel security investigation files and general Army intelligence records.* Send requests for personnel security investigation files, intelligence investigation and security records, and records of other Army intelligence matters to the Commander, U.S. Army Intelligence and Security Command, ATTN: IAMG–CIC–FOI/PO, 4552 Pike Road, Fort George G. Meade, MD 20755–5995.

(k) *Inspector General records.* Send requests involving records within the Inspector General system to HQDA (SAIG–ZXL), 1700 Army Pentagon, Washington, DC 20310–1700. AR 20–1 governs such records.

(l) *Army records in Government records depositories.* Non-current Army records are in the National Archives of the United States, Washington, DC 20408–0001; in Federal Records Centers of NARA; and in other records depositories. Requesters must write directly to the heads of these depositories for copies of such records. A list of pertinent records depositories is published in AR 25–400–2, table 10–1.

PART 519—PUBLICATION OF RULES AFFECTING THE PUBLIC

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AUTHORITY: Sec. 3012, Pub. L. 84–1028, 70A Stat. 157, (10 U.S.C. 3013); sec. 3, Pub. L. 79–404, 60 Stat. 238, (5 U.S.C. 552).

SOURCE: 69 FR 47766, Aug. 6, 2004, unless otherwise noted.

Subpart A—General

§ 519.1 Purpose.

This part prescribes procedures and responsibilities for publishing certain Department of the Army policies, practices and procedures in the FEDERAL REGISTER as required by statute, and for inviting public comment thereon, as appropriate. This regulation implements portions of the Administrative Procedure Act (APA), 5 U.S.C. 551; Freedom of Information Act (FOIA), 5 U.S.C. 552(a)(1), as implemented by 32 CFR Part 336; Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*), as implemented by 1 CFR Chapter 1; Congressional Review Act (CRA), 5 U.S.C. Chapter 8; Executive Order 12866 of September 30, 1993; and DODD 5025.1, DOD Directives System.

[69 FR 47766, Aug. 6, 2004; 69 FR 51569, Aug. 20, 2004]

§ 519.2 Explanation of terms.

(a) *Rule.* The whole or a part of any Department of the Army Statement (regulation, circular, directive, or other media) of general or particular applicability and future effect, which is designed to implement, interpret, or prescribe law or policy or which describes the organization, procedure, or practice of the Army.

(b) *FEDERAL REGISTER.* A document published daily, Monday through Friday (except holidays), by the Office of the Federal Register, to inform the

Department of the Army, DoD

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public about the regulations of the executive branch and independent administrative agencies of the U.S. Government. The FEDERAL REGISTER includes Presidential proclamations, Executive orders, Federal agency documents having general applicability and legal effect or affecting the public, and documents required to be published by Act of Congress.

(c) *Code of Federal Regulations.* The annual codification of rules published by each Federal Agency. It is divided into 50 titles representing broad subject areas for each Federal Agency and these titles are further subdivided into Chapters, Subchapters, Parts, and Subparts. Army documents are published in Title 32, National Defense, Title 33, Navigation and Navigable Waters, and Title 36, Parks, Forests, and Public Property. (The FEDERAL REGISTER and the Code of Federal Regulations must be used together to determine the latest version of any given rule.)

(d) *Closed meeting.* A meeting that is closed to the public.

(e) *Open meeting.* A meeting that is open to the public.

§519.3 Responsibilities.

(a) The Administrative Assistant to the Secretary of the Army (AASA) acts as the regulatory officer and has oversight of the Army Federal Regulatory Program and Unified Agenda. The AASA coordinates with Assistant Secretary of the Army (Civil Works) (ASA (CW)) and the Deputy Chief of Staff, G-1 (DCS, G-1) to ensure the regulatory requirements and functions are properly executed.

(b) The ASA (CW) submits the annual Regulatory Plan and semiannual Unified Agenda of Federal Regulatory and Deregulatory Actions to the AASA as required by Executive Order 12866 and 5 U.S.C. 601, *et seq.*

(c) The DCS, G-1 develops policy and direction for the Rulemaking Program for the Department of the Army.

(d) The U.S. Army Records Management and Declassification Agency (RMDA) is responsible for policies concerning Department of the Army announcements and rules (proposed, interim, and final) published in the FEDERAL REGISTER, and for ensuring Army

compliance with this part. The RMDA will—

(1) Assist the officials listed in Table 1 of this section in the performance of their responsibilities.

(2) Represent the Army in submitting to the Office of the Federal Register (OFR) any matter published per this part.

(3) Submit the annual Regulatory Plan and semiannual Unified Agenda of Federal Regulatory and Deregulatory Actions to the AASA as required by Executive Order 12866 and 5 U.S.C. 601, *et seq.*

(4) Submit a copy of published final rules (and certain analyses related to the rule, as appropriate) to both Houses of Congress and to the General Accounting Office (GAO), per the CRA.

(e) The U.S. Army Corps of Engineers (USACE) will—

(1) Represent the Army in submitting to the OFR only those Civil Works Program rules (proposed, interim, and final) codified in Title 33, Navigation and Navigable Waters, and Title 36, Parks, Forests, and Public Property of the CFR, subject to the terms of this part.

(2) Submit a copy of published final rules (and certain analyses related to the rule, as appropriate) to both Houses of Congress and to the General Accounting Office (GAO), per the CRA.

(3) When submitting rules codified in Titles 33 and 36 of the CFR, USACE may coordinate directly with OFR (in lieu of RMDA) but must otherwise comply with the provisions of this part. In determining the applicability of this regulation to its rulemaking activities, Army Civil Works rulemaking proponents may replace “RMDA” with “USACE,” wherever it appears in the text of this part.

(f) The officials listed in Table 1 of this section (hereinafter referred to as proponents) are responsible for:

(1) Ensuring maximum practicable participation of the public in the formulation of Army rules that affect the public by allowing public comments in proposed rules. Where deemed appropriate by the Army proponents, the public should participate in consensual mechanisms, such as negotiated rulemaking.